Gregory J. Sanders, USB No. 2858 KIPP AND CHRISTIAN, P.C. Attorney for Defendant 10 Exchange Place, 4th Floor Salt Lake City, Utah 84111 Telephone: (801) 521-3773

IN THE UNITED STATES DISTRICT COURT DISTRICT OF UTAH, CENTRAL DIVISION

CHRISTY OAKS, INDIVIDUALLY AND ON BEHALF OF THE ESTATE OF AND HEIRS OF DANNY G. CONNELLEY, DECEASED.

: Case No. 2:06cv00452DAK

Plaintiffs.

ORDER OF DISMISSAL

VS.

LENNOX INDUSTRIES INC.,

Defendant.

The court having considered the motion of the defendant to dismiss and the stipulation of the parties thereto, and good cause appearing, hereby dismisses this action, with prejudice.

Each party shall bear their own costs and attorney's fees incurred in the prosecution and defense of this action.

DATED THIS 8th day of January, 2008.

BY THE COURT

CERTIFICATE OF MAILING

I hereby certify that on this <u>7th</u> day of January, 2008, I caused a true and correct copy of the foregoing **ORDER OF DISMISSAL** to be e-filed through the United States District Court to the following:

Colin P. King Dewsnup King & Olsen 2400 Beneficial Life Tower 36 South State Street, Suite 2400 Salt Lake City, Utah 84111-0024

Scott R. Wangsgard S. R. WANGSGARD, LC 57 West 200 South, Suite 400 Salt Lake City, Utah 84101

/s/		
Randee R. Lloyd		